

November 13, 2014

Letter of Appeal
Schools and Libraries Division Correspondence Unit
30 Lanidex Plaza West
P.O. Box 685
Parsippany, NJ 07054-0685

Appeals Division:

This appeal letter is directed towards:
Appellant Name: Ludlow Indep School District, Vikki Wofford
Applicant Name: Ludlow Indep School District
Service Provider Name: Cincinnati Bell Telephone LLC (KY)
Applicant BEN: 128860
Service Provider SPIN: 143001581
471 Application Number: 982827
FRN: 2683984
FCDL for Funding Year 2014

Exact Text: 28 Day Waiting Violation

We were denied on a portion of our Telecom funding request. The portion denied was Cincinnati Bell Telephone due to the date of signing on the contract. Upon receiving correspondences from the PIA team, we checked the box yes that the contract was the correct date when we should have marked it no. The contract was signed and dated on 03/24/14, when it was not allowed to be signed or dated until 03/25/14. Therefore, we are requesting that the decision be reversed and that we be allowed to change the date of contract to 03/25/14, the date that the contract was actually allowed to be signed on.

If more information is needed, please contact me via email at vikki.wofford@ludlow.kyschools.us or by phone at 859-261-8210.

Thank you for your consideration,



Vikki Wofford

Financial Analyst

Enclosures



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2014-2015

October 17, 2014

Vikki Wofford
Ludlow Independent Schools
525 Elm Street
Ludlow, KY 41016

Re: Applicant Name: LUDLOW INDEP SCHOOL DISTRICT
Billed Entity Number: 128860
Form 471 Application Number: 982827
Funding Request Number(s): 2683984
Your Correspondence Dated: October 01, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2683984
Decision on Appeal: **Denied**
Explanation:

- The Item 21 Attachment you provided in support of your FCC Form 471 application, or documentation provided during review of your application, shows that you selected your vendor prior to the end of the 28 day posting period. In your Receipt Notification Letter, USAC notified you that that the earliest date upon which you could sign a contract or enter into an agreement (Allowable Contract Date) was March 25, 2014. Consequently, USAC denies your appeal because your application did not comply with the competitive bidding requirement that your FCC Form 470 be posted on the website for 28 days prior to signing a contract or entering into an agreement for new products and/or services.
- You selected your vendor for new products and/or services prior to the expiration of the 28 day posting period. FCC rules require that except under limited

circumstances, all FCC Forms 470 received be posted on the USAC website for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. *See* 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). FCC rules further require that the Administrator send the applicant a confirmation when the FCC Form 470 has been posted, and inform the applicant of the earliest date upon which they may sign a contract with the vendor it selects. *See* 47 C.F.R. sec. 54.503(c)(4). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). New products and/or services include tariff, month to month and services for which a new written contract is sought for the current funding year.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company